

ESTTA Tracking number: **ESTTA377426**

Filing date: **11/08/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052915
Party	Defendant Nankang Rubber Tire Corporation, Ltd.
Correspondence Address	NANKANG RUBBER TIRE CORPORATION, LTD. JEN AI ROAD, SUITE 608, 6F, NO. 136, SECTION 3 TAIPEI, TAIWAN
Submission	Answer
Filer's Name	Kao H. Lu
Filer's e-mail	klu@ryderlu.com
Signature	/Kao H. Lu/
Date	11/08/2010
Attachments	Answer-2010-11-08.pdf (3 pages)(22411 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF U.S. REGISTRATION NO. 3,702,678

MARK: NK SPORT

NEKEN S.A.R.L.	X	
	:	
PETITIONER,	:	Cancellation No. 92052915
	:	
V.	:	
NANKANG RUBBER TIRE CORP.	:	
	:	
REGISTRANT	:	
	:	
	X	

Answer for the Registrant to the Petition to Cancel Registration

Registrant Nankang Rubber Tire Corp. (“Nankang”), by its attorneys, Ryder Lu Mazzeo & Konieczny LLC., hereby requests to reject the cancel petition made by Neken S.A.R.L.

NATURE OF ACTION

This is an action by NEKEN S.A.R.L (“Neken”) files petition to cancel Nankang’s US trademark registration No. 3,702,678.

Facts Common to All Counts

1. ANSWER: Nankang is without sufficient knowledge or information to form the basis of the allegations in this paragraph. And, therefore, denies same.
2. ANSWER: Nankang is without sufficient knowledge or information to form the basis of the allegations in this paragraph. And, therefore, denies same.
3. ANSWER: Nankang is without sufficient knowledge or information to form the basis of the allegations in this paragraph. And, therefore, denies same.

4. ANSWER: Admitted.
5. ANSWER: Nankang is without sufficient knowledge or information to form the basis of the allegations in this paragraph. And, therefore, denies same.
6. ANSWER: Admitted.
7. ANSWER: Admitted.
8. ANSWER: Admitted.
9. ANSWER: Admitted.
10. ANSWER: Admitted.
11. ANSWER: Admitted.
12. ANSWER: Denied.
13. ANSWER: Denied.
14. ANSWER: Denied.
15. ANSWER: Admitted.
16. ANSWER: Denied.
17. ANSWER: Nankang is without sufficient knowledge or information to form the basis of the allegations in this paragraph. And, therefore, denies same.
18. ANSWER: Nankang is without sufficient knowledge or information to form the basis of the allegations in this paragraph. And, therefore, denies same.

FIRST CAUSE OF ACTION
(Fraud against the Patent and Trademark Office)

19. ANSWER: Nankang incorporates by reference its responses to Neken's allegations in paragraphs 1 through 18, inclusive as though fully set forth in this Response.
20. ANSWER: Denied.

21. ANSWER: Denied.

22. ANSWER: Denied.

23. ANSWER: Denied.

24. ANSWER: Nankang is without sufficient knowledge or information to form the basis of the allegations in this paragraph. And, therefore, denies same.

25. ANSWER: DENIED.

PRAYER FOR RELIEF

WHEREFORE, Nankang demands to deny the cancellation petition.

Dated: Havertown, Pa
November 8, 2010

Ryder Lu Mazzeo & Konieczny LLC

By: /Kao H. Lu/
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Nankang Rubber Tire Corp.